

RECEIVED
CENTRAL FAX CENTER

JAN 23 2006

**Yee &
Associates, P.C.**4100 Alpha Road
Suite 1100
Dallas, Texas 75244Main No. (972) 385-8777
Facsimile (972) 385-7766**Facsimile Cover Sheet**

To: Commissioner for Patents for Examiner Kyle R. Stork Group Art Unit 2178	Facsimile No.: 571/273-8300
From: Kim Gault Legal Assistant to John Leonard	No. of Pages Including Cover Sheet: 43
Message: Enclosed herewith: <ul style="list-style-type: none">Transmittal Document; andAppeal Brief.	
Re: Application No. 09/652,365 Attorney Docket No: AUS9-2000-0295-US1	
Date: Friday, January 20, 2006	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION BY
FAXING A CONFIRMATION TO 972-385-7766.**

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 23 2006

In re application of: Berstis et al.

§ Group Art Unit: 2178

Serial No.: 09/652,365

§ Examiner: Stork, Kyle R.

Filed: August 31, 2000

§ Attorney Docket No.: AUS9-2000-0295-US1

For: Method and Apparatus in a Data Processing System for Word Based Render Browser for Skimming or Speed Reading Web Pages

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBERCertificate of Transmission Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (571) 273-8300 on January 23, 2006.

By:

Kim Gault

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

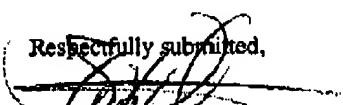
ENCLOSED HEREWITH:

- Appeal Brief (37 C.F.R. 41.37)

68

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,


Stephen R. Tkacs

Registration No. 46,430

Duke W. Yee
Registration No. 34,285
YEE & ASSOCIATES, P.C.
P.O. Box 802333
Dallas, Texas 75380
(972) 385-8777
ATTORNEY FOR APPLICANTS

RECEIVED
CENTRAL FAX CENTER

JAN 23 2006

Docket No. AUS9-2000-0295-US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Berstis et al.

§

Group Art Unit: 2178

Serial No. 09/652,365

§

Examiner: Stork, Kyle R.

Filed: August 31, 2000

§

§

For: Method and Apparatus in a Data
Processing System for Word Based
Render Browser for Skimming or
Speed Reading Web Pages

§

§

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Transmission Under 37 C.F.R. § 1.8(a)
I hereby certify this correspondence is being transmitted via
facsimile to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, facsimile number (571) 273-8300
on January 23, 2006.

By:

Kim Gault
Kim Gault

APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on November 22, 2005.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

01/25/2006 EFLORES 00000100 090447 09652365

01 FC:1402 500.00 DA

(Appeal Brief Page 1 of 41)
Berstis et al. - 09/652,365

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation.

(Appeal Brief Page 2 of 41)
Berstis et al. - 09/652,365

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

(Appeal Brief Page 3 of 41)
Berstis et al. - 09/652,365

STATUS OF CLAIMS**A. TOTAL NUMBER OF CLAIMS IN APPLICATION**

Claims in the application are: 1-36

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: NONE
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1-36
4. Claims allowed: NONE
5. Claims rejected: 1-36
6. Claims objected to: NONE

C. CLAIMS ON APPEAL

The claims on appeal are: 1-36

(Appeal Brief Page 4 of 41)
Berstis et al. - 09/652,365

STATUS OF AMENDMENTS

There are no amendments after final rejection.

(Appeal Brief Page 5 of 41)
Berstis et al. - 09/652,365

SUMMARY OF CLAIMED SUBJECT MATTER**CLAIMS 1 AND 35 - INDEPENDENT**

The present invention provides a method and a computer program product for modifying original content of a document, the method comprising: receiving a request for modified content (Specification, page 14, lines 19-22), in response to each receipt of said request, modifying said original content (Specification, page 14, line 22, to page 15, line 5), using a set of rules to make selected content in said document invisible without degrading readability of said document to form a modified document (Specification, page 13, line 28, to page 14, line 17), wherein unmodified content in said modified document retaining its original physical and spatial characteristics after a portion of said original content is modified (Specification, page 15, lines 5-9), and wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications, and displaying said modified document having said original physical and spatial characteristics for the unmodified content (Specification, page 15, lines 5-9).

CLAIMS 9 AND 36 - INDEPENDENT

The present invention provides a method and a computer program product for altering original content for a web page containing a set of words, the method comprising: receiving a request to alter the original content of said web page (Specification, page 14, lines 19-22), in response to each receipt of said request, altering said original content by reducing the set of words in the web page to generate a modified content of said web page to make some of said set of words invisible without degrading readability of said web page to form an altered web page (Specification, page 14, lines 8-9, and page 14, line 22, to page 15, line 5), wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered (Specification, page 15, lines 5-9), wherein the set of words is reduced by making said some of said set of words invisible using a set of rules (Specification, page 14, lines 9-17), wherein said set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at

which the user can read the web page without alterations, and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page (Specification, page 15, line 21, to page 16, line 19).

CLAIM 16 - INDEPENDENT

The present invention provides a data processing system comprising: a bus system (Specification, page 8, lines 16-23; Figure 2, reference numeral 206; Specification, page 10, lines 1-13; Figure 3, reference numeral 306), a communications adapter (Specification, page 8, lines 22-25; Figure 2, reference numeral 210) connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system, a memory (Specification, page 8, lines 20-25; Figure 2, reference numerals 208 and 209; Specification, page 10, lines 1-3, and page 10, line 31, to page 11, line 4; Figure 3, reference numeral 304) connected to the bus system, wherein the memory includes a set of instructions, and a processor unit (Specification, page 8, lines 16-18; Figure 2, reference numerals 202 and 204; Specification, page 10, lines 1-3, and page 10, line 31, to page 11, line 4; Figure 3, reference numeral 302) connected to the bus, wherein the processor unit executes the set of instructions to receive a request to alter original content of a web page and reduce the set of words in the web page (Specification, page 14, lines 19-22), in response to each receipt of said request to make selected content of said original content invisible without degrading readability of said web page to form an altered web page (Specification, page 14, lines 8-9, and page 14, line 22, to page 15, line 5), wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered (Specification, page 15, lines 5-9), wherein the set of words is reduced using a set of rules (Specification, page 14, lines 9-17), and wherein the set of words being reduced increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations, and wherein the set of words in the altered web page retains key words allowing identification of the content of the web page (Specification, page 15, line 21, to page 16, line 19).

CLAIM 20 - INDEPENDENT

The present invention provides a data processing system for modifying original content of a document, the data processing system comprising: receiving means (Specification, page 7, lines 17-26; Figure 1, reference numerals 108, 110, and 112) for receiving a request for modified content (Specification, page 14, lines 19-22), in response to each receipt of said request, modifying means (Specification, page 7, lines 17-26; Figure 1, reference numerals 108, 110, and 112) for modifying said original content (Specification, page 14, line 22, to page 15, line 5), using a set of rules, to make selected content in said document invisible without degrading readability of said document to form a modified document (Specification, page 13, line 28, to page 14, line 17), wherein unmodified content in said modified document retaining its original physical and spatial characteristics after a portion of said original content is modified (Specification, page 15, lines 5-9), and wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications, and displaying means (Specification, page 7, lines 17-26; Figure 1, reference numerals 108, 110, and 112) for displaying said modified document having said original physical and spatial characteristics for the unmodified content (Specification, page 15, lines 5-9).

CLAIM 28 - INDEPENDENT

The present invention provides a data processing system for altering original content for a web page containing a set of words, the data processing system comprising: receiving means (Specification, page 7, lines 17-26; Figure 1, reference numerals 108, 110, and 112) for receiving a request to alter original content (Specification, page 14, lines 19-22), in response to each receipt of said request, altering means (Specification, page 7, lines 17-26; Figure 1, reference numerals 108, 110, and 112) for altering said original content by reducing the set of words in the web page to generate a modified web page to make some of said set of words invisible without degrading readability of said web page to form an altered web page (Specification, page 14, lines 8-9, and page 14, line 22, to page 15, line 5), wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered (Specification, page 15, lines 5-9), wherein the set of words is reduced using a set of rules

(Appeal Brief Page 8 of 41)
Berstis et al. - 09/652,365

(Specification, page 14, lines 9-17), and wherein the set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations, and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page (Specification, page 15, line 21, to page 16, line 19).

ARGUMENT

I. GROUND OF REJECTION 1 (Claims 1, 6-8, 20, 25-27, and 35)I. A. 35 U.S.C. § 103, Alleged Obviousness, claims 1, 6-8, 20, 25-27, and 35

The Examiner has rejected claims 1, 6-8, 20, 25-27, and 35 under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Gipson* (U.S. Patent No. 5,778, 402). This rejection is respectfully traversed.

With regard to claim 1 being allegedly unpatentable over *Gipson*, the Examiner states:

As per independent claim 1, *Gipson* discloses a method in a data processing system for modifying original content of a document, the method comprising:

- Receiving a request for modified content (column 4, lines 35-41: Here, a request is an user input event)
- In response to each receipt of the request, modifying the original content, using a set of rules to modify selected content in the document without degrading readability of the document, to form a modified document, wherein unmodified content in the modified document retaining its original physical and spatial characteristics after a portion of the content is modified (column 4, lines 42-50: Here, the a set of rules defines an auto-format content. A user input event that meets a set of rules, activates an auto-format, thus generating modified content and similarly a modified document; column 7, lines 1-12: Here, an example of an auto-format is disclosed. Further, only the "*" is modified. The following word, and its physical and spatial characteristics remain unmodified)
- Displaying the modified document having the original physical and spatial characteristics for the unmodified content (column 7, lines 1-12).

Although *Gipson* fails to specifically disclose rules for making text invisible, *Gipson* discloses the use of invisible text within a document (column 11, lines 50-58: Here, the concept of hidden or invisible text within a document is disclosed). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined *Gipson*'s use of a rules engine with *Gipson*'s use of invisible text, since it would have allowed for a document to be auto-formatted based upon user entries (abstract).

Gipson fails to specifically disclose wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications. However, one of ordinary skill in the art at the time of the applicant's invention would have recognized that, all else being equal, the relative

speed at which a user can read a document is at least partially related to the number of words within a document. Therefore, by reducing the number of words in a document the relative reading speed of the document by the user would subsequently increase.

(Final Office Action, dated September 14, 2005, pages 2-3). Independent claim 1, which is representative of independent claims 20 and 35 with regard to similarly recited subject matter, recites:

1. A method in a data processing system for modifying original content of a document, the method comprising:

receiving a request for modified content;

in response to each receipt of said request, modifying said original content, *using a set of rules to make selected content in said document invisible without degrading readability of said document* to form a modified document, wherein unmodified content in said modified document retaining its original physical and spatial characteristics after a portion of said original content is modified, and *wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications*; and

displaying said modified document having said original physical and spatial characteristics for the unmodified content. (emphasis added)

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For an invention to be *prima facie* obvious, the prior art must teach or suggest all claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The *Gipson* reference cited by the Examiner does not render obvious the present invention as recited in independent claims 1, 20, and 35 because the reference fails to teach or suggest all claim limitations.

Claim 1 recites “*using a set of rules to make selected content in said document invisible without degrading readability of said document . . . wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications*,” features that are not taught or suggested in *Gipson*. Appellants agree with the Examiner that *Gipson* does not teach using a set of rules to make selected content in a document invisible without degrading readability of the document, wherein the selected content in the document being made invisible

increases a speed at which a user can read a modified document relative to a speed at which the user can read the document without modifications. The Examiner alleges that *Gipson* discloses selected content in a document being made invisible in the following cited section:

The character position data includes the starting character position of the token in the line format buffer and in the document file. It also includes the range of effect, or length of the token in both. Character position data for both the line format buffer and the document is included because the character positions can be different due to such things as created text, display fields etc. that appear in the line format buffer but not in the document, or hidden text, which is text that appears in the document but not the line format buffer.

(*Gipson*, column 11, lines 50-58). Nothing in *Gipson*, including the cited section, teaches selected content in a document being made invisible. The cited section in *Gipson* teaches character position data for both a line format buffer and a document, including the starting character position and the range of the effect. The character position data may be different for the line format buffer and the document because a line of created text may appear in the line format buffer but not in the document, and "hidden text" may appear in the document but not in the line format buffer.

Gipson teaches character position data for a line of created text that appears in the line format buffer but not in the document because the character position data for the line of created text is evaluated in the line format buffer before the line of created text is automatically formatted for the document. When the character position data for line of created text is evaluated for formatting, the line of created text appears in the line format buffer, but this line of created text does not appear in the document.

Gipson teaches character position data for "hidden text" that appears in the document but not in the line format buffer because the line of created text that has been formatted for the document becomes "hidden" from the perspective of the line format buffer when the line of created text appears in the document and the line of created text no longer appear in the line format buffer. After a line of created text and its character position data have been evaluated and formatted for the document, the line format buffer evaluates and formats the next line of created text and its character position data. When the next line of created text appears in the line format buffer, the previous line of created text no longer appears in the line format buffer. This lack of appearance of the previous line of created text in the line format buffer means the previous lines

of created text is then considered "hidden text." However, this line of created text is hidden only from the perspective of the line format buffer. Because the line of created text appears in the document, this line of created text is not invisible. The line of created text is disclosed as text that does not appear invisible in the document when *Gipson* offers the definition of "hidden text, which is text that appears in the document."

The Examiner alleges that when *Gipson* mentions "hidden text," that this only use of the word "hidden" in the *Gipson* patent discloses selected content in a document being made invisible. However, *Gipson* never mentions the word "hidden" elsewhere, or suggests the word "invisible" anywhere, because *Gipson* has no reason to hide text or make selected content invisible in a document.

According to the Abstract, *Gipson* is directed to a method for interactively formatting a document. An event monitor intercepts user input events, and a rule-based event engine schedules and evaluates rules dependent on the events. An action rule may generate auto-format actions when it is evaluated. The event monitor automatically formats the document as the user types. *Gipson* teaches a method for user input automatically formatting a document, but such a method has no use for hiding text or making selected content invisible in the document.

Appellants agree with the Examiner that *Gipson* does not teach wherein selected content in a document being made invisible increases a speed at which a user can read a modified document relative to a speed at which the user can read the document without modifications. The Examiner alleges that "by reducing the number of words in a document the relative reading speed of the document by the user would subsequently increase."

Gipson teaches a data base of rules, called a rules-base, and a list of rules, called a dependents list. However, none of the rules in *Gipson* teaches or suggests making text hidden or invisible in a document. Even if *Gipson* were to teach making text hidden or invisible in a document, which it does not, absent a set of rules for making text hidden or invisible, *Gipson* still fails to increase the speed at which a user can read a modified document relative to a speed at which the user can read the document without modifications.

The Examiner further states that it would be obvious to modify *Gipson* to arrive at the features of the claimed invention. In view of the above, there is no motivation to modify the teachings of *Gipson* in the manner alleged by the Examiner. The Examiner alleges that the motivation for the alleged modification is "since it would have allowed for a document to be

auto-formatted based upon user entries." However, there is no suggestion in *Gipson* that there is a need for using a set of rules to make selected content in a document invisible. In fact, *Gipson* is directed toward a method for user input automatically formatting a document. Although *Gipson* mentions the phrase "hidden text" once, there is never any mention or suggestion of making text hidden or invisible to the viewer in a document. Thus, the alleged motivation offered by the Examiner is not based on the actual teaching of the references.

As noted above, there is no teaching or suggestion in the reference as to the desirability of including the features from the present invention. The mere fact that a prior art reference can be readily modified does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Laskowski*, 871 F.2d 115, 10 U.S.P.Q.2d 1397 (Fed. Cir. 1989) and also see *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992) and *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1993). The Examiner may not merely state that the modification would have been obvious to one of ordinary skill in the art without pointing out in the prior art a suggestion of the desirability of the proposed modification. The Examiner has failed to demonstrate any motivation or incentive in the prior art to modify the reference so as to achieve the claimed invention. The only motivation to even to attempt to modify *Gipson* is to try to arrive at Appellants' claimed invention and thus, the proposed modification is a result of impermissible hindsight reconstruction using Appellants' own disclosure as an aide. While Appellants understand that all examination entails some measure of hindsight, when the rejection is based completely on hindsight, as in the present case, rather than only what is gleaned from the reference by one of ordinary skill in the art, then the rejection is improper and should be withdrawn.

Moreover, *Gipson* does not teach the problem of the present invention or its source. The present invention recognizes the problems involved with speed reading web pages. Thus, the present invention provides a method for using a set of rules to make selected content in a document invisible without degrading readability of the document, wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications. Therefore, one of ordinary skill in the art would not be motivated to modify *Gipson* in the manner required to form the solution discussed in the claimed invention when the problem addressed by *Gipson* is reviewed when considering *Gipson* as a whole.

(Appeal Brief Page 14 of 41)
Berstis et al. - 09/652,365

Gipson does not teach or suggest using a set of rules to make selected content in a document invisible without degrading readability of the document, wherein the selected content in the document being made invisible increases a speed at which a user can read a modified document relative to a speed at which the user can read the document without modifications, as recited in claim 1 of the present invention. Therefore, *Gipson* fails to teach or suggest all elements of the claimed invention, and thus fails to render obvious the invention as recited in independent claim 1.

In view of the above, independent claims 1, 20, and 35 are not taught or suggested by the proposed modification of *Gipson*. Accordingly, Appellants respectfully request that the rejection of independent claims 1, 20, and 35 under 35 U.S.C. §103 not be sustained.

Claims 2-8 and 21-27 are dependent claims depending on independent claims 1 and 20, respectively. Appellants have already demonstrated claims 1 and 20 to be in condition for allowance. Appellants respectfully submit that claims 2-8 and 21-27 are also allowable, at least by virtue of their dependency on allowable claims. Thus, the rejection of claims 1, 6-8, 20, 25-27, and 35 under 35 U.S.C. §103(a) has been overcome. In addition, *Gipson* does not teach or suggest the specific features of dependent claims 7 and 26.

I. B. 35 U.S.C. § 103, Alleged Obviousness, claims 7 and 26

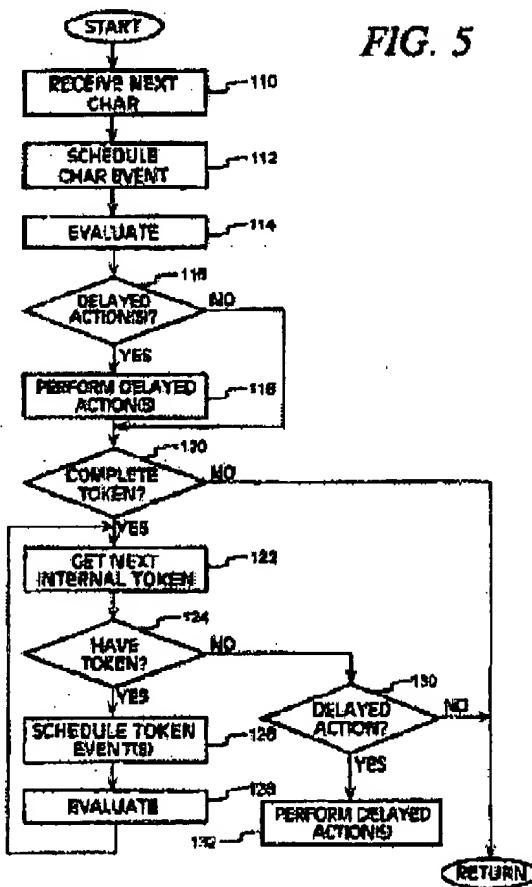
With regard to claim 7 being allegedly unpatentable over *Gipson*, the Examiner states in the Office Action:

As per dependent claim 7, *Gipson* discloses the limitations similar to those in claim 1, and the same rejection is incorporated therein. *Gipson* further discloses the set of rules including rules to retain words (Figure 5: Here, if a word does not trigger an action, then the word is retained).

(Final Office Action, dated September 14, 2005, page 4). Claim 7, which is representative of claim 26 with regard to similarly recited subject matter, recites the following:

7. The method of claim 1, wherein the *set of rules includes rules to retain words*, wherein the selected content in the document being retained increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications. (emphasis added)

Gipson neither teaches nor suggests a set of rules including rules to retain words, as recited in claim 7 of the present invention. The Examiner alleges that *Gipson* discloses this feature in the following figure:



(*Gipson*, figure 5). The cited figure above does not teach or suggest a set of rules including rules to retain words. Figure 5 in *Gipson* provides an overview of the steps performed by the character and token event generators. *Gipson* specifies that the first half of figure 5 is concerned with characters, and that these characters may result in the formation of tokens, which are the subject of the second half of figure 5:

Steps 110 through 118 summarize the behavior of the character event generator. Each character typed can potentially result in formation of a token. As such, once the character event generator processes any character events, the token event

generator processes any token related events. Steps 120-132 relate to the token event generator.

(*Gipson*, column 11, lines 7-12). *Gipson* teaches that the focus shifts from characters to tokens "in decision step 120, [where] the token generator determines as an initial inquiry whether a character or sequence of characters constitutes a complete token." (*Gipson*, column 12, lines 25-27). After a complete token is identified in step 120, a token generator calls a full lexer to "identify the specific text token or format tokens associated with it." (*Gipson*, column 13, lines 43-44). After the full lexer is called to identify tokens associated with the complete token, *Gipson* determines if such associated tokens have been returned:

When the lexer returns token incomplete, decision step 124 branches to step 130.

The token generator calls the scheduling routine in the event engine to schedule text and format tokens as shown in step 126. The token generator passes a direct token, and any cached indirect tokens and related format tokens to the event engine 52 for scheduling. The lexer passes cached indirect tokens along with the token defining an event interval.

For each text token defining a token interval, the token generator calls the evaluate routine in the event engine as shown in step 128. The event engine then evaluates all of the events and rules for the token interval section in the rule-base.

(*Gipson*, column 15, lines 15-28). Therefore, figure 5 of *Gipson* teaches characters forming complete tokens, and the identification of text and format tokens associated with these complete tokens. A token generator passes any text tokens and any related format tokens to an event engine for scheduling, where text tokens are evaluated. However, *Gipson* never mentions or suggest that the evaluation of a token is for any purpose other than formatting the token for a document, as no evaluation is made to retain a token or to not retain a token. As discussed above in regard to claim 1, *Gipson* does not teach or suggest a rule for making some text hidden or invisible in a document. Because *Gipson* does not teach or suggest a rule for making text invisible in a document, *Gipson* has no need for a rule to retain words that are not to be made invisible in a document. Therefore, *Gipson* does not teach or suggest a set of rules including rules to retain words. Thus, *Gipson* fails to teach all elements of the claimed invention, and thus fails to render obvious the invention as recited in dependent claims 7 and 26. Additionally, claims 7 and 26 are respectively dependent from claims 1 and 20 that Appellants have already demonstrated to be in condition for allowance. Consequently, it is respectfully requested that the rejection of claims 7 and 26 not be sustained.

(Appeal Brief Page 17 of 41)
Berstis et al. - 09/652,365

II. GROUND OF REJECTION 2 (Claims 2-5, 9-19, 21-24, 28-34, and 36)

The Examiner has rejected claims 2-5, 9-19, 21-24, 28-34, and 36 under 35 U.S.C. Section 103(a) as being allegedly unpatentable over *Gipson* in view of *Belanger et al.* (U.S. Patent Application No. 2001/0020244). This rejection is respectfully traversed.

II. A. 35 U.S.C. § 103, Alleged Obviousness, claims 2-4 and 21-23

The Examiner further states that it would be obvious to combine *Gipson* with *Belanger* to arrive at the features for claims 2-4 and 21-23 of the claimed invention. However, *Belanger* does not cure the deficiencies in *Gipson*. As discussed in the Abstract, *Belanger* is directed towards a remote home page authoring system. The system resides entirely on an Internet Web server site and interacts with users via conventional programming languages written for a universal protocol. All software is provided on the server side. The only software that the user needs is any form of Web browser and an electronic communication connection. The system is platform and operating system independent. In summary, *Belanger* provides a remote home page authoring system that resides in an Internet Web server, a system that a user interacts with via conventional programming languages.

However, *Belanger* does not teach or suggest using a set of rules to make selected content in a document invisible without degrading readability of the document, wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications. These features are recited in claims 1 and 20 of the present invention, upon which claims 2-4 and 21-23, for example, depend respectively. As described above in regard to claim 1, which is representative of claim 20 with regard to similarly recited subject matter, *Gipson* does not teach or suggest these features. Therefore, the combination of *Gipson* and *Belanger* does not render claim 1 unpatentable because the combination does not teach or suggest each and every claim limitation.

Even if *Gipson* were combinable with *Belanger*, the result of such a combination would not be the invention as recited in claim 1. Rather, such a proposed combination would result in a method for user input automatically formatting a document, as taught in *Gipson*, with a remote home page authoring system, in the manner described by *Belanger*. Even with the additions of *Gipson* and *Belanger*, there would be no using a set of rules to make selected content in a

(Appeal Brief Page 18 of 41)
Borsig et al. - 09/652,365

document invisible without degrading readability of the document, wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications, as recited in claim 1 of the present invention.

Furthermore, one of ordinary skill in the art would not combine *Gipson* with *Belanger* when each reference is considered as a whole. In considering a reference as a whole, one of ordinary skill in the art would take into account the problems recognized and solved. As discussed above in regard to claim 1, *Gipson* provides a method for user input automatically formatting a document. In contrast, as discussed above, *Belanger* provides a remote home page authoring system that resides in an Internet Web server, a system that a user interacts with via conventional programming languages.

In view of the above, there is no motivation to combine the teachings of *Gipson* with *Belanger* in the manner proposed by the Examiner. There is no suggestion in *Gipson* that there is a need for interacting with an Internet Web Server. In fact, *Gipson* is directed toward a method for user input automatically formatting a document. *Gipson* never mentions or suggests the Internet or Web servers.

Moreover, there is no suggestion in *Belanger* of a need to combine the remote home page authoring system of *Belanger* with the method for user input automatically formatting a document, such as that taught by *Gipson*. Thus, the motivation offered by the Examiner is not based on the actual teaching of the references.

As noted above, there is no teaching or suggestion in the references as to the desirability of including the features from other references. The mere fact that prior art references can be readily combined does not make the combination obvious unless the prior art suggested the desirability of the combination. The Examiner may not merely state that the combination would have been obvious to one of ordinary skill in the art without pointing out in the prior art a suggestion of the desirability of the proposed combination. The Examiner has failed to demonstrate any motivation or incentive in the prior art to combine and modify the references so as to achieve the claimed invention. The only motivation to even to attempt to combine *Gipson* and *Belanger* is to try to arrive at Appellants' claimed invention and thus, the alleged combination is a result of impermissible hindsight reconstruction using Appellants' own disclosure as an aide. While Appellants understand that all examination entails some measure of

(Appeal Brief Page 19 of 41)
Berstis et al. - 09/652,365

hindsight, when the rejection is based completely on hindsight, as in the present case, rather than only what is gleaned from the references by one of ordinary skill in the art, then the rejection is improper and should be withdrawn.

Moreover, neither *Gipson* nor *Belanger* teaches the problem of the present invention or its source. The present invention recognizes the problems involved with speed reading web pages. Thus, the present invention provides a method for using a set of rules to make selected content in a document invisible without degrading readability of the document, wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications. Therefore, one of ordinary skill in the art would not be motivated to combine *Gipson* and *Belanger* in the manner required to form the solution discussed in the claimed invention when the problems addressed by the references are reviewed when considering each reference as a whole.

In view of the above, Appellants submit that independent claims 1 and 20 are not taught or suggested by the proposed combination of *Gipson* and *Belanger*. Claims 2-4 are dependent claims depending on independent claim 1 and claims 21-23 are dependent claims depending on independent claim 20. Appellants have already demonstrated claims 1 and 20 to be in condition for allowance. Appellants respectfully submit that claims 2-4 and 21-23 are also allowable, at least by virtue of their dependency on allowable claims. Thus, Appellants respectfully request that the rejection of claims 2-4 and 21-23 under 35 U.S.C. §103(a) not be sustained.

II. B. 35 U.S.C. § 103, Alleged Obviousness, claims 5 and 24

With regard to claim 5 being allegedly unpatentable over *Gipson* in view of *Belanger*, the Examiner states in the Office Action:

As per dependent claim 5, *Gipson* discloses the limitations similar to those in claim 1, and the same rejection is incorporated therein. *Gipson* fails to specifically disclose the method wherein the receiving step and modifying step are performed in a client data processing system. However, *Belanger* suggests the method wherein the receiving step and modifying step are performed in a client data processing system (paragraphs 0031-0032: Here a user logs in to a server through a client device. The user is then able to modify content through the client device).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined *Gipson*'s method with *Belanger*'s

method, since it would have allowed a user to remotely author and modify documents (*Belanger*, paragraphs 0007-0008).

(Final Office Action, dated September 14, 2005, page 6). Claim 5, which is representative of claim 24 with regard to similarly recited subject matter, recites the following:

5. The method of claim 1, wherein the receiving step and the modifying step are performed in a client data processing system.

In claim 1, the receiving step recites "receiving a request for modified content," and the modifying step recites "modifying said original content." Appellants agree with the Examiner that *Gipson* does not teach wherein receiving a request for modified content and modifying original content are performed in a client data processing system. However, *Belanger* neither teaches nor suggests this feature. The Examiner alleges that in the following cited passage *Belanger* teaches wherein receiving a request for modified content and modifying original content are performed in a client data processing system:

[0031] In FIG. 1, a schematic diagram illustrates *a method of implementation of a server-sided Internet based operating system* according to the present invention. Users, who may have one of a variety of Internet-enabled devices or connections, including, for example, a desktop PC or a laptop, a WEBTV, an Internet pager, or an Internet phone, use their Web browser to enter INERGY's web site, which is <http://www.inergy.com>. Once on the web site, a new user registers for access to one or more of the applications in the INERGY 2000 operating system's suite of desktop applications, which may include such programs as WEBWRITER (a word processor), E-MAIL AMERICA, WEB SITE DESIGN STUDIO ("QUICKTOUCH"), CONTACT MANAGER (a "PIM" or Personal Information Manager), spreadsheet software, voice-to-text & text-to-voice software, financial management software (including, for example, electronic checkbook and bill payment), personal and corporate bookkeeping, data management, desktop publishing, desktop (or WEBTOP) administration, meeting manager/scheduler, etc., *all of which may reside on one or more of INERGY's servers*. These applications may be interlaced with online creative multimedia tools. The new user is then given a password, which they may modify, and is given a standard desktop configuration of the applications, including a standard background screen that is displayed when a user logs onto the system. A database, which may reside on the INERGY 2000 server farm or on some other server, is maintained. The database includes a customer profile for each customer. The customer profile, which may include one or more customized desktop configurations, may be updated by the user either consciously, through selection of an option such as "SETUP", or may be automatically updated as the user rearranges or otherwise modifies their desktop while they are actively connected to the INERGY 2000 operating system. Each user may customize their desktop arrangement. For

example, users may upload graphics, text, or sounds to use as a background. Users may add and remove hypertext links to their favorite Web sites. Users may modify the size, shape or arrangement of the icons or symbols that permit access to each of the applications, etc. A user may have one customized desktop configuration for use in the office and another customized desktop configuration for use at home. In addition, a family may have a common desktop configuration (or set of configurations), with different passwords for e-mail for each of the family members, so that each of the family members can have private e-mail. [0032] When a previously-registered user logs in to the INERGY 2000 operating system, *the user's login ID and password are sent, using HTTP, to a Web server, which may be located anywhere, and then passed, using CGI code, to the INERGY 2000 operating system*, which then accesses the user's customer profile from the database of customer profiles. Based on the data in the user's customer profile, a set of scripts are run, which then are sent back to the Web server, which passes the HTML instructions to the user's browser, using HTTP, and the user's browser then displays the user's customized desktop configuration. The user can then access any of the applications for which they have registered, which may include one or more of the applications shown in the "DESKTOP" layer of the diagram in FIG. 1. Each of the desktop applications also may have access to one or more of the tools in the "TOOLS" layer of the diagram in FIG. 1. For example, a user may receive an e-mail message with an attached document in MICROSOFT WORD format. The user may wish to edit the document using the WEBWRITER program. The FILE MANAGER tool will allow the user to convert the MICROSOFT WORD document into Text format, which the WEBWRITER can read. The user can then edit the document and use FILE MANAGER to convert the revised document back to MICROSOFT WORD format and send it back as an attachment to an e-mail reply message. Or, the user could convert the document for use in the spreadsheet or bookkeeping application. The user also may add the document to their personal or business Web site. A variety of additional options will be apparent. For example, optionally, the spell-check tool may be accessed from the word processing program, as well as from the e-mail program or the Web site creation and management program, etc. (emphasis added)

(*Belanger*, paragraphs 0031-0032). The cited section above does not teach or suggest wherein receiving a request for modified content and modifying original content are performed in a client data processing system. The referenced section in *Belanger* teaches a method of implementation of a server-sided Internet based operating system for users to operate their Web browser to enter INERGY's web site. A new user registers for access to one or more of the applications in the INERGY 2000 operating system's suite of desktop applications, all of which may reside on one or more of INERGY's servers. When a previously-registered user logs in to the INERGY 2000 operating system, the user's login ID and password are sent, using HTTP, to a Web server and then passed, using CGI code, to the INERGY 2000 operating system. A set of scripts is run,

which then is sent back to the Web server, which passes the HTML instructions to the user's browser, using HTTP. Then, the user's browser displays the user's customized desktop configuration. The user can then access any of the applications for which he has registered. The user may wish to edit a document using a WEBWRITER program. The FILE MANAGER tool will allow the user to convert the MICROSOFT WORD document into Text format, which the WEBWRITER can read. The user can then edit the document and use FILE MANAGER to convert the revised document back to MICROSOFT WORD format and send it back as an attachment to an e-mail reply message.

Although *Belanger* teaches a displaying step that is performed in a client data processing system, *Belanger* does not teach or suggest that receiving a request for modified content and modifying original content are performed in a client data processing system. *Belanger* is clear in specifying that the method is implemented as a server-sided Internet based operating system, not in a client data processing system. The Abstract specifies:

[t]he system resides entirely on an Internet Web Server site and interacts with users via conventional programming languages written for a universal protocol. As a result, there is no need for client-side messaging software. All software is provided on the server side. The only software the user needs is any form of Web browser and an electronic communications connection.

The operating system's entire suite of desktop applications resides on one or more of *Belanger*'s servers, not in a client data processing system. Only after a set of scripts is run in *Belanger*'s operating system and the scripts are sent back to a Web server, does the Web server pass HTML instructions to the user's browser.

When a user in *Belanger* accesses any of the applications, the request is received in an application in a server-sided Internet based operating system, not in a client data processing system. Likewise, the modifying step is performed in an application in a server-sided Internet based operating system, not in a client data processing system. Therefore, *Belanger* does not teach or suggest that receiving a request for modified content and modifying original content are performed in a client data processing system. *Gipson* does not cure the deficiencies in *Belanger*. Thus, *Belanger* fails to teach all elements of the claimed invention, and thus fails to render obvious the invention as recited in dependent claims 5 and 24.

Even if *Gipson* were combinable with *Belanger*, the result of such a combination would not be the invention as recited in claim 5. Rather, such a proposed combination would result in a

method for user input automatically formatting a document, as taught in *Gipson*, with a remote home page authoring system, in the manner described by *Belanger*. Even with the additions of *Gipson* and *Belanger*, there would be no receiving a request for modified content and modifying original content performed in a client data processing system, as recited in claim 5 of the present invention.

Additionally, claims 5 and 24 are respectively dependent from claims 1 and 20 that Appellants have already demonstrated to be in condition for allowance. Consequently, it is respectfully requested that the rejection of claims 5 and 24 not be sustained.

II. C. 35 U.S.C. § 103, Alleged Obviousness, claims 9-19, 28-34, and 36

With regard to claim 9 being allegedly unpatentable over *Gipson* in view of *Belanger*, the Examiner states:

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined *Gipson*'s method with *Belanger*'s method, since it would have allowed a user to remotely author and modify documents (*Belanger*: paragraphs 0007-0008).

As per independent claim 9, the applicant discloses the limitations similar to those of claims 1 and 2. Claim 9 is similarly rejected under *Gipson* and *Belanger*.

(Final Office Action, dated September 14, 2005, pages 6-7). Independent claim 9, which is representative of independent claims 16, 28, and 36 with regard to similarly recited subject matter, recites:

9. A method in a data processing system for altering original content for a web page containing a set of words, the method comprising:
receiving a request to alter the original content of said web page;
in response to each receipt of said request, altering said original content by reducing the set of words in the web page to generate a modified content of said web page to make some of said set of words invisible without degrading readability of said web page to form an altered web page, wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered, wherein the set of words is reduced by making said some of said set of words invisible using a set of rules, wherein said set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations; and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page. (emphasis added)

(Appeal Brief Page 24 of 41)
Berstis et al. - 09/652,363

Claim 9 recites "to make some of said set of words invisible without degrading readability of said web page . . . wherein the set of words is reduced by making said some of said set of words invisible using a set of rules, wherein said set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations," features that are not taught or suggested in *Gipson* or *Belanger*, alone or in combination.

The Examiner further states that it would have been obvious to combine *Gipson* with *Belanger* to arrive at the features of the claimed invention. However, *Belanger* does not cure the deficiencies in *Gipson*. *Belanger* does not teach or suggest making some of a set of words invisible without degrading readability of a web page, wherein the set of words is reduced by making some of the set of words invisible using a set of rules, wherein the set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations, as recited in claim 9 of the present invention. As described above in regard to claim 1, *Gipson* does not teach these features. Therefore, the combination of *Gipson* and *Belanger* not render claimed invention in claim 9 unpatentable because the combination does not teach or suggest these features.

Even if *Gipson* were combinable with *Belanger*, the result of such a combination would not be the invention as recited in claim 9. Rather, such a proposed combination would result in a method for user input automatically formatting a document, as taught in *Gipson*, with a remote home page authoring system, in the manner described by *Belanger*. Even with the additions of *Gipson* and *Belanger*, there would be no making some of a set of words invisible without degrading readability of a web page, as recited in claim 9 of the present invention.

In view of the above, Appellants submit that independent claims 9, 16, 28, and 36 are not taught or suggested by the alleged combination of *Gipson* and *Belanger*. Accordingly, Appellants respectfully request that the rejection of independent claims 9, 16, 28, and 36 under 35 U.S.C. §103 not be sustained.

Claims 10-15 are dependent claims depending on independent claim 9. claims 17-19 are dependent claims depending on independent claim 16, and claims 29-34 are dependent claims depending on independent claim 28. Appellants have already demonstrated claims 9, 16, and 28 to be in condition for allowance. Appellants respectfully submit that claims 10-15, 17-19, and

(Appeal Brief Page 25 of 41)
Berstis et al. - 09/652,365

29-34 are also allowable, at least by virtue of their dependency on allowable claims. Thus, Appellants respectfully request that the rejection of claims 9-19, 28-34, and 36 under 35 U.S.C. §103(a) not be sustained. In addition, *Gipson* and *Belanger* do not teach or suggest the specific features of dependent claims 12, 14, 31, and 33.

II. C. 1. 35 U.S.C. § 103, Alleged Obviousness, claims 12 and 31

With regard to claim 12 being allegedly unpatentable over *Gipson* in view of *Belanger*, the Examiner states in the Office Action:

As per dependent claim 5, *Gipson* discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. *Gipson* fails to specifically disclose the method wherein the receiving step and modifying step are performed in a client data processing system. However, *Belanger* suggests the method wherein the receiving step and modifying step are performed in a client data processing system (paragraphs 0031-0032: Here, a user logs in to a server through a client device. The user is then able to modify content through the client device).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined *Gipson*'s method with *Belanger*'s method, since it would have allowed a user to remotely author and modify documents (*Belanger*, paragraphs 0007-0008).

As per dependent claim 12, the applicant discloses the limitations similar to those of claim 5. Claim 5 is similarly rejected.

(Final Office Action, dated September 14, 2005, pages 6-7). Claim 12, which is representative of claim 31 with regard to similarly recited subject matter, recites the following:

12. The method of claim 9, wherein the receiving step and the altering step are performed in a client data processing system.

In claim 9, the receiving step recites "receiving a request to alter the original content of said web page," and the altering step recites "altering said original content." Appellants agree with the Examiner that *Gipson* does not teach wherein receiving a request to alter the original content of said web page and altering the original content are performed in a client data processing system. However, *Belanger* neither teaches nor suggests this feature.

Although *Belanger* teaches a displaying step that is performed in a client data processing system, *Belanger* does not teach or suggest that receiving a request to alter the original content of a web page and altering original content are performed in a client data processing system. As

discussed above in regard to claim 5, *Belanger* is clear in specifying that the method is implemented as a server-sided Internet based operating system, not in a client data processing system. The operating system's entire suite of desktop applications resides on one or more of *Belanger*'s servers, not in a client data processing system. Only after a set of scripts is run in *Belanger*'s operating system and the scripts are sent back to a Web server, does the Web server pass HTML instructions to the user's browser.

When a user in *Belanger* accesses any of the applications, the request is received in an application in a server-sided Internet based operating system, not in a client data processing system. Likewise, the altering step is performed in an application in a server-sided Internet based operating system, not in a client data processing system. Therefore, *Belanger* does not teach or suggest that receiving a request to alter the original content of a web page and altering original content are performed in a client data processing system. *Gipson* does not cure the deficiencies in *Belanger*.

Even if *Gipson* were combinable with *Belanger*, the result of such a combination would not be the invention as recited in claim 12. Rather, such a proposed combination would result in a method for user input automatically formatting a document, as taught in *Gipson*, with a remote home page authoring system, in the manner described by *Belanger*. Even with the additions of *Gipson* and *Belanger*, there would be no receiving a request to alter the original content of a web page and altering original content are performed in a client data processing system, as recited in claim 12 of the present invention. Thus, *Belanger* fails to teach all elements of the claimed invention, and thus fails to render obvious the invention as recited in dependent claims 12 and 31.

Additionally, claims 12 and 31 are respectively dependent from claims 9 and 28 that Appellants have already demonstrated to be in condition for allowance. Consequently, it is respectfully requested that the rejection of claims 12 and not be sustained.

II. C. 2. 35 U.S.C. § 103, Alleged Obviousness, claims 14 and 33

With regard to claim 14 being allegedly unpatentable over *Gipson* in view of *Belanger*, the Examiner states in the Office Action:

As per dependent claim 7, *Gipson* discloses the limitations similar to those in claim 1, and the same rejection is incorporated therein. *Gipson* further

discloses the set of rules including rules to retain words (Figure 5: Here, if a word does not trigger an action, then the word is retained).

As per dependent claim 14, the applicant discloses the limitations similar to those of claim 7. Claim 7 is similarly rejected.

(Final Office Action, dated September 14, 2005, pages 4, 7). Claim 14, which is representative of claim 33 with regard to similarly recited subject matter, recites the following:

14. The method of claim 9, wherein the *set of rules includes rules to retain words*, wherein the set of words in the web page being retained increases a speed at which a user can read the altered web page relative to a speed at which at which the user can read the web page without alterations. (emphasis added)

As discussed above in regard to claim 7, *Gipson* neither teaches nor suggests a set of rules including rules to retain words, as recited in claim 14 of the present invention. *Gipson* teaches characters forming complete tokens, and the identification of text and format tokens associated with these complete tokens. A token generator passes any text tokens and any related format tokens to an event engine for scheduling, where text tokens are evaluated. However, *Gipson* never mentions or suggest that the evaluation of a token is for any purpose other than formatting the token for a document, as no evaluation is made to retain a token or to not retain a token. As discussed above in regard to claim 1, *Gipson* does not teach or suggest a rule for making some text hidden or invisible in a document. Because *Gipson* does not teach or suggest a rule for making text invisible in a document, *Gipson* has no need for a rule to retain words that are not to be made invisible in a document. Therefore, *Gipson* does not teach or suggest a set of rules including rules to retain words. *Belanger* does not cure the deficiencies in *Gipson*.

Even if *Gipson* were combinable with *Belanger*, the result of such a combination would not be the invention as recited in claim 14. Rather, such a proposed combination would result in a method for user input automatically formatting a document, as taught in *Gipson*, with a remote home page authoring system, in the manner described by *Belanger*. Even with the additions of *Gipson* and *Belanger*, there would be no receiving a request to alter the original content of a web page and altering original content are performed in a client data processing system, as recited in claim 14 of the present invention.

Thus, the combination of *Gipson* and *Belanger* fails to teach all elements of the claimed invention, and thus fails to render obvious the invention as recited in dependent claims 14 and

33. Additionally, claims 14 and 33 are respectively dependent from claims 9 and 28 that Appellants have already demonstrated to be in condition for allowance. Consequently, it is respectfully requested that the rejection of claims 14 and 33 not be sustained.

(Appeal Brief Page 29 of 41)
Berstis et al. - 09/652,365

CONCLUSION

For the reasons stated above, Appellants respectfully submit that the rejection under 35 U.S.C. § 103(a) of claims 1, 6-8, 20, 25-27, and 35 has been overcome and the rejection under 35 U.S.C. § 103(a) of claims 2-5, 9-19, 21-24, 28-34, and 36 has also been overcome. Accordingly, Appellants respectfully request that the Board of Patent Appeals and Interferences overturn the rejections set forth in the Final Office Action.

Respectfully submitted,



Stephen R. Tkacs
Reg. No. 46,430
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Agent for Appellants

ST/jl

(Appeal Brief Page 30 of 41)
Berstis et al. - 09/652,363

CLAIMS APPENDIX

The text of the claims involved in the appeal are:

1. A method in a data processing system for modifying original content of a document, the method comprising:

receiving a request for modified content;

in response to each receipt of said request, modifying said original content, using a set of rules to make selected content in said document invisible without degrading readability of said document to form a modified document, wherein unmodified content in said modified document retaining its original physical and spatial characteristics after a portion of said content is modified and wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications; and

displaying said modified document having said original physical and spatial characteristics for the unmodified content.

2. The method of claim 1, wherein the document is a web page.

3. The method of claim 1, wherein the document is a hypertext markup language document.

4. The method of claim 1, wherein the receiving step and the modifying step are performed in a server data processing system.

5. The method of claim 1, wherein the receiving step and the modifying step are performed in a client data processing system.

6. The method of claim 1, wherein the set of rules includes rules to make words invisible, wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications.

7. The method of claim 1, wherein the set of rules includes rules to retain words, wherein the selected content in the document being retained increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications.

8. The method of claim 1, wherein the set of rules includes rules to replace words, wherein the selected content in the document being replaced increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications.

9. A method in a data processing system for altering original content for a web page containing a set of words, the method comprising:

receiving a request to alter the original content of said web page;
in response to each receipt of said request, altering said original content by reducing the set of words in the web page to generate a modified content of said web page to make some of

said set of words invisible without degrading readability of said web page to form an altered web page, wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered, wherein the set of words is reduced by making said some of said set of words invisible using a set of rules, wherein said set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations; and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page.

10. The method of claim 9, wherein the web page is a hypertext markup language document.

11. The method of claim 9, wherein the receiving step and the altering step are performed in a server data processing system.

12. The method of claim 9, wherein the receiving step and the altering step are performed in a client data processing system.

13. The method of claim 9, wherein the set of rules includes rules to make words invisible, wherein said set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations.

14. The method of claim 9, wherein the set of rules includes rules to retain words, wherein said set of words in the web page being retained increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations.

15. The method of claim 9, wherein the set of rules includes rules to replace words, wherein said set of words in the web page being replaced increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations.

16. A data processing system comprising:

a bus system;

a communications adapter connected to the bus, wherein the communications adapter provides for data transfer to and from the data processing system;

a memory connected to the bus system, wherein the memory includes a set of instructions; and

a processor unit connected to the bus, wherein the processor unit executes the set of instructions to receive a request to alter original content of a web page and reduce the set of words in the web page, in response to each receipt of said request to make selected content of said original content invisible without degrading readability of said web page to form an altered web page, wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered, wherein the set of words is reduced using a set of rules, and wherein the set of words being reduced increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations; and wherein the set of words in the altered web page retains key words

(Appeal Brief Page 34 of 41)
Bersis et al. - 09/652,365

allowing identification of the content of the web page.

17. The data processing system of claim 16, wherein the bus system includes a primary bus and a secondary bus.

18. The data processing system of claim 16, wherein the processing unit comprises one processor.

19. The data processing system of claim 16, wherein the processing unit comprises a plurality of processors.

20. A data processing system for modifying original content of a document, the data processing system comprising:

receiving means for receiving a request for modified content;

in response to each receipt of said request, modifying means for modifying said original content, using a set of rules, to make selected content in said document invisible without degrading readability of said document to form a modified document, wherein unmodified content in said modified document retaining its original physical and spatial characteristics after a portion of said original content is modified, and wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications; and

displaying means for displaying said modified document having said original physical and spatial characteristics for the unmodified content.

(Appeal Brief Page 35 of 41)
Berslis et al. - 09/652,365

21. The data processing system of claim 20, wherein the document is a web page.
22. The data processing system of claim 20, wherein the document is a hypertext markup language document.
23. The data processing system of claim 20, wherein the receiving means and the modifying means are located in a server data processing system.
24. The data processing system of claim 20, wherein the receiving means and the modifying means are located in a client data processing system.
25. The data processing system of claim 20, wherein the set of rules includes rules to make words invisible, wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications.
26. The data processing system of claim 20, wherein the set of rules includes rules to retain words, wherein the selected content in the document being retained increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications.

27. The data processing system of claim 20, wherein the set of rules includes rules to replace words, wherein the selected content in the document being replaced increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications.

28. A data processing system for altering original content for a web page containing a set of words, the data processing system comprising:

receiving means for receiving a request to alter original content;
in response to each receipt of said request, altering means for altering said original content by reducing the set of words in the web page to generate a modified web page to make some of said set of words invisible without degrading readability of said web page to form an altered web page, wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered, wherein the set of words is reduced using a set of rules, and wherein the set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations; and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page.

29. The data processing system of claim 28, wherein the web page is a hypertext markup language document.

30. The data processing system of claim 28, wherein the receiving means and the altering means are located in a server data processing system.

(Appeal Brief Page 37 of 41)
Bersis et al. - 09/652,365

31. The data processing system of claim 28, wherein the receiving means and the altering means are located in a client data processing system.

32. The data processing system of claim 28, wherein the set of rules includes rules to make words invisible, wherein said set of words in the web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations.

33. The data processing system of claim 28, wherein the set of rules includes rules to retain words, wherein said set of words in the web page being retained increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations.

34. The data processing system of claim 28, wherein the set of rules includes rules to replace words, wherein said set of words in the web page being replaced increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations.

35. A computer program product in a computer readable medium for use in a data processing system for modifying original content of a document, the computer program product comprising:
instructions for receiving a request for modified content;
in response to each receipt of said request, instructions for modifying said original

(Appeal Brief Page 38 of 41)
Berstis et al. - 09/652,365

content, using a set of rules, to make selected content in said document invisible without degrading readability of said document to form a modified document, wherein unmodified content in said modified document retaining its original physical and spatial characteristics after a portion of said original content is modified, and wherein the selected content in the document being made invisible increases a speed at which a user can read the modified document relative to a speed at which the user can read the document without modifications; and instructions for displaying said modified document having said original physical and spatial characteristics for the unmodified content.

36. A computer program product in a computer readable medium for use in a data processing system for altering original content for a web page containing a set of words, the computer program product comprising:

instructions for receiving a request to alter the original content; in response to each receipt of said request, instructions for altering said original content by reducing the set of words in the web page to generate a modified web page to make some of said set of words invisible without degrading readability of said web page to form an altered web page, wherein unaltered content in said altered web page retaining its original physical and spatial characteristics after a portion of said original content is altered, and wherein the set of words is reduced using a set of rules, and wherein the set of words in said web page being made invisible increases a speed at which a user can read the altered web page relative to a speed at which the user can read the web page without alterations; and wherein the set of words in the modified web page retains key words allowing identification of the content of the web page.

EVIDENCE APPENDIX

There is no evidence to be presented.

(Appeal Brief Page 40 of 41)
Berstis et al. - 09/652,365

RELATED PROCEEDINGS APPENDIX

There are no related proceedings.

(Appeal Brief Page 41 of 41)
Berstis et al. - 09/632,365